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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RODOLFO HERRERA-MENA, Petitioner, v. MICHAEL CHERTOFF, Secretary of the Department of Homeland Security, et al., Respondents.	Case No.08cv0481-J (LSP) NOTICE OF REMOVAL

Petitioner, an alien under a final order of removal, has filed a Petition for a Writ of Habeas Corpus seeking release from the Department of Homeland Security custody pending a petition for review of his Final Removal order at the Ninth Circuit. Petitioner contends that his removal is not likely in the reasonably foreseeable future given his pending petition before the Ninth Circuit. However, the Ninth Circuit denied Petitioner's request for stay of removal, and Petitioner has been repatriated to his home country, Mexico. See Exhibit A, Declaration of Raven M. Norris; Exhibit B, Custody Summary Sheet; Exhibit C, Ninth Circuit General Docket. Because removal has been effected and Petitioner is no longer in Respondents' custody, the Petition currently before this Court should be dismissed as moot.

Dated: June 16, 2008

Respectfully submitted,

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